

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: March 16, 2005
Bulk Item: Yes ☐ No ☒

Division: Commissioner Murray Nelson
Department: BOCC-5
Staff Contact Person: Donna Hanson

AGENDA ITEM WORDING: Approval of a waiver of the six hundred dollar fee for a pre-application conference, sight visit and letter of understanding for the Florida Keys Wild Bird Rehabilitation Center

ITEM BACKGROUND: The Florida Keys Wild Bird Rehabilitation Center is a tax exempt not for profit agency located in the Upper Keys, which provides a valuable service by caring for injured birds and educating the public on wildlife of the Florida Keys. The Center has outgrown the available space on their existing site and must relocate to better fulfill their mission. The site the Florida Keys Wild Bird Rehabilitation Center is proposing to relocate to, is currently owned by the State of Florida and is part of the Dove Creek Environmental Area. The fee of \$600 charged for a staff pre-application conference, site visit and letter of understanding is to off-set the cost to the County of providing the review service.

PREVIOUS RELEVANT BOCC ACTION:

CONTRACT/AGREEMENT CHANGES:

STAFF RECOMMENDATIONS:

TOTAL COST: N/A

BUDGETED: Yes ☐ No ☐

COST TO COUNTY: _____

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes ☐ No ☐ **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty X OMB/Purchasing _____ Risk Management _____

DIVISION DIRECTOR APPROVAL:


COMMISSIONER MURRAY E. NELSON

DOCUMENTATION: Included X Not Required _____

DISPOSITION: _____

AGENDA ITEM # _____

RESOLUTION NO. 2005

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS APPROVING A WAIVER OF THE SIX HUNDRED DOLLAR FEE FOR A PRE-APPLICATION CONFERENCE, SIGHT VISIT AND LETTER OF UNDERSTANDING FOR THE FLORIDA KEYS WILD BIRD REHABILITATION CENTER.

WHEREAS, Section 9.5-42 of the Monroe County Land Development Regulations provides the authority to the Board of County Commissioners to establish a non-refundable application fee to defray the cost of reviewing development applications; and

WHEREAS, the fee established for a pre-application conference, site visit and letter of understanding totals six hundred dollars; and

WHEREAS, the Florida Keys Wild Bird Rehabilitation Center is a tax exempt not for profit agency located in the Upper Keys, which provides a valuable service by caring for injured birds and educating the public on wildlife of the Florida Keys; and

WHEREAS, the Florida Keys Wild Bird Rehabilitation Center has outgrown the available space on their existing site and must relocate to better fulfill their mission; and

WHEREAS, the Florida Keys Wild Bird Rehabilitation Center is supported by private donations and government grants, which have been reduced this year; and

WHEREAS, the site where the Florida Keys Wild Bird Rehabilitation Center is proposing to relocate to, is currently owned by the State of Florida and is part of the Dove Creek Environmental Area; and

WHEREAS, the Board of County Commissioners has duly considered the request of the Florida Keys Wild Bird Rehabilitation Center; **NOW THEREFOR**

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY FLORIDA, to approve the request of the Florida Keys Wild Bird Rehabilitation Center that the fees of six hundred dollars for a pre-application conference, site visit and letter of understanding be waived for the staff evaluation of the proposed relocation site owned by the State of Florida at MM 93.5 ocean side.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County Florida at a regular meeting held on 16th day of March, 2005.

Mayor Dixie Spehar	_____
Mayor Pro Tem Charles "Sonny" McCoy	_____
Commissioner Murray Nelson	_____
Commissioner George Neugent	_____
Commissioner David Rice	_____

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____

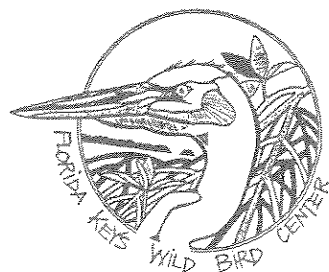
Mayor Dixie Spehar

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

Deputy Clerk

FLORIDA KEYS WILD BIRD CENTER



February 14, 2005

Dear Commissioner Nelson:

Back in 1988, at the urging of Code Enforcement, I began searching for a new location for the Florida Keys Wild Bird Rehabilitation Center so that it could move from the current location of my back yard on Coral Road. One site that was very satisfactory was a tract of scarified land surrounding a "borrow pit" at MM 93.5 oceanside. However, the owner wanted \$500,000, which we did not have but the state did. FWC now manages that property as part of the Dove Creek Hammocks Environmental Area.

Instead, we settled for 5 1/2 acres at MM 93.6 bayside. The owner wanted \$26,000, which we had so I now own that property. The price was set based on the habitat map indicating that a dwelling unit could not be built on the property for lack of upland. My plan was to build the bird habitats there, which was possible since they are not defined as "development". While doing the HEI, we discovered a hammock area that the mapmakers had not seen in their aerial photographs. This allowed for the development of the Center and residence, as it now exists within the open space allowed.

However, the Center has outgrown the space available, especially for parking and vehicular access. Accordingly, we are again drawn to the borrow pit area as the ideal solution to the problems that threaten the viability, and future, of the Center. An aerial photograph of the current Center and the borrow pit, and a sketch of our proposed development are attached.

The following is a list of contrasting factors:

	<u>Current Center</u>	<u>Borrow pit area</u>
Zoning	Native	Suburban Residential
Habitats	Wetlands & Hammock	Scarified/developed
Flood Zone	AE-8	AE-7
Elevation	Small area up to 3'	Large area of 4-8'+
Vegetation	Native species	Re-growth & exotics
Functionality;		
Parking for		
Visitors	Insufficient	Ample
Staff	Limited	Ample
Handicap	Non-existent	Ample
Bus	Non-existent	Ample
RV	Non-existent	Ample
Access from US 1	Only from southbound lane	There is a median cut-through
Truck deliveries	Big hassle for fish deliveries requiring manual unloading of tons of frozen fish	Easy drive in & turn around and loading dock by the freezer for roll-off, roll-on handling
Visitor access	Required elevated boardwalks are expensive to maintain.	Mulch/pea rock pathways on grade are safe and cheap.
Staff access	Visitors share boardwalks with staff carrying birds, food and maintenance work.	There will be working paths and visitor paths.
Facility construction	Much is below flood elevation and the rest was built on columns or 4x4 pilings	High ground will keep all construction at grade level or on short columns

93600 OVERSEAS HIGHWAY, TAVERNIA, FL 33070 (305) 852-4486

FLORIDA KEYS WILD BIRD REHABILITATION CENTER, INC. IS A TAX-EXEMPT, NOT-FOR-PROFIT AGENCY DESIGNATED AS 501 (C)(3) BY THE I.R.S. EIN: 65-0020988

A copy of the official registration and financial information may be obtained from the division of consumer services by calling 1-800-435-7352 within the state. Registration does not imply endorsement, approval, or recommendation by the state.

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Clearly the borrow pit sight has many advantages to the future of the Center and to the expansion of services that we provides to both the residents of and the visitors to the Florida Keys.

A very preliminary discussion of our plan with the local Planning Department confirmed the viability of this relocation. However, the next step is an in-depth review of our proposal to be done at a Pre-application Conference with a site visit. We are asking the Board of County Commissioners to waive the \$600 fee for this conference. This is particularly important this year since we lost, at the end of last year, the previously consistent financial support of one foundation and two patrons. These losses, and the general diversion of much charitable giving to disaster victims, have left us with a major financial shortfall, mitigated significantly by the generosity of the Village of Islamorada and Monroe County.

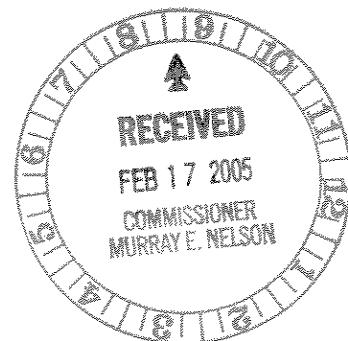
We greatly appreciate your kind consideration of this request.

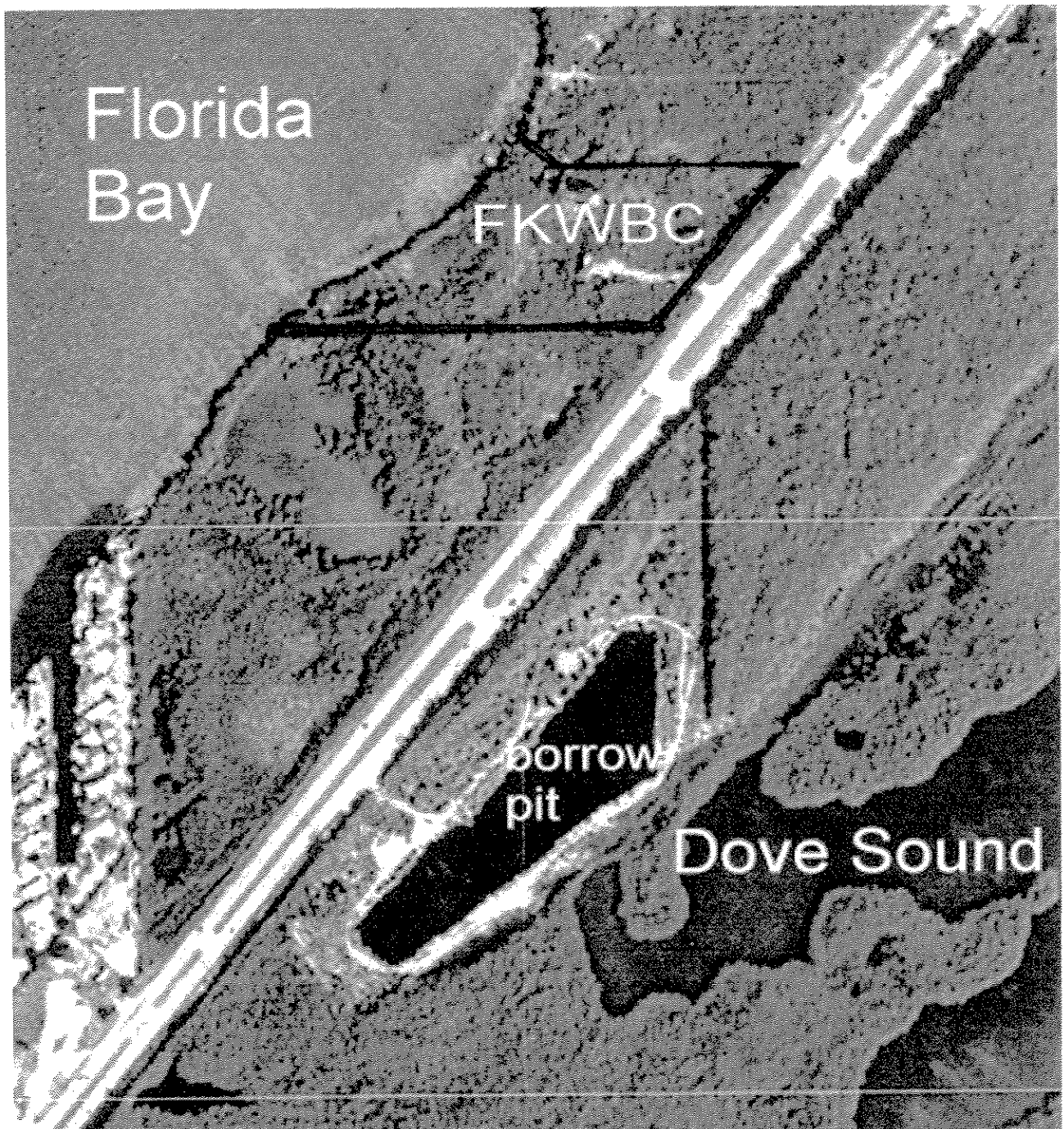
Sincerely,



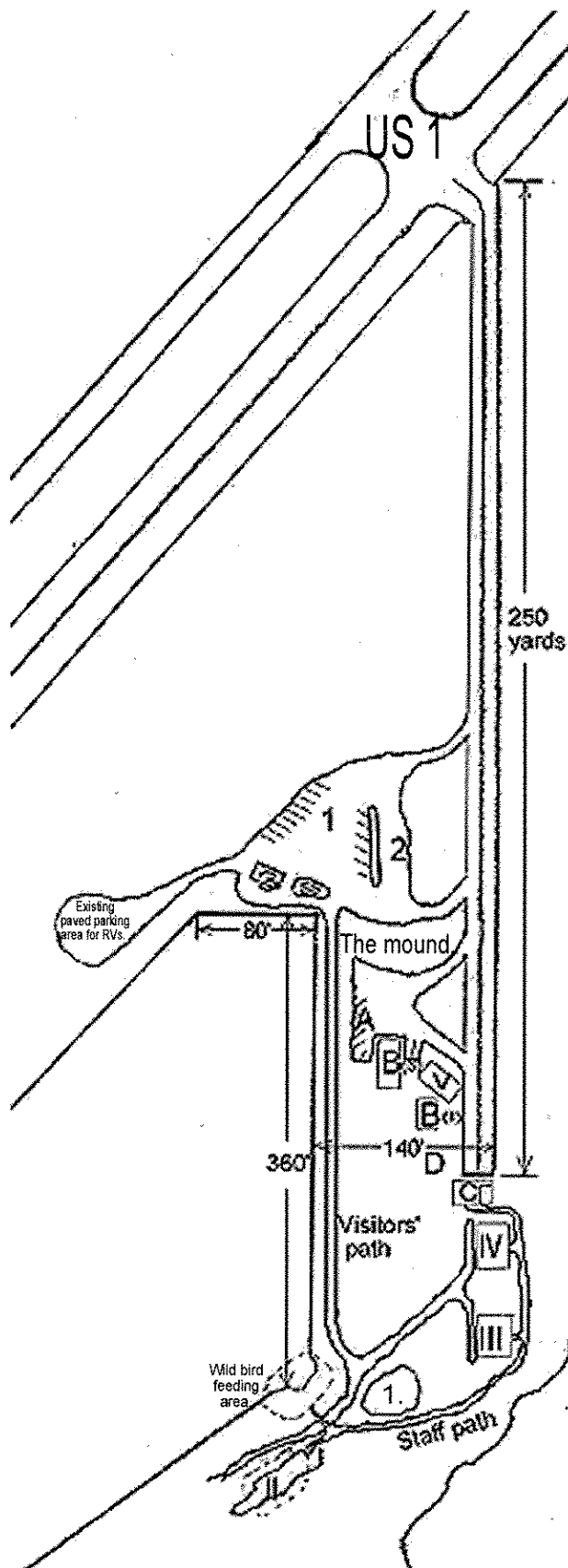
Laura B. Quinn, Director

FAX 852-3186





PROPOSED PLAN for the Florida Keys Wild Bird Rehabilitation Center



PUBLIC AREA
1. Car parking
2. Bus parking
3. Education Center
Gift shop
Restrooms

STAFF AREA
A. Parking
B. Hospital
Office
Maintenance
Staff residence (S)
Intern residence (I)
C. Feeding station
Freezer
D. Sewage treatment

Habitats
I. Pelicans, cormorants
II. Herons, egrets
III. Raptors
IV. Mammals
V. Medical cages

\$\$ = Donation boxes